

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

April 30, 2007

C047853 THE PEOPLE v. MARTINEZ et al. (Not for Publication)

As to defendant Martinez, the judgment is modified to reduce the crime prevention fine... The trial court is directed to prepare an amended abstract of judgment and forward a certified copy to the Department of Corrections and Rehabilitation.

As to defendant Hernandez, the trial court is directed to prepare a corrected abstract of judgment... and to forward a certified copy to the Department of Corrections and Rehabilitation.

In all other respects, the judgment is affirmed as to both defendants.

HULL, J.

We Concur: Scotland, P.J.

Sims, J.

C051037 THE PEOPLE v. TOWNSEND (Not for Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Nicholson, Acting P.J.

Cantil-Sakauye, J.

C052221 THE PEOPLE v. McDANIEL (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect this modification and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Robie, J.

**C047502 THE PEOPLE v. ANDERSON (CERTIFIED FOR PUBLICATION)
C048283**

THE COURT:

It is ordered that the opinion filed herein on April 2, 2007, be modified...

... There is no change in judgment.

Appellant's petition for rehearing is denied.

SIMS, Acting P.J.

HULL, J.

CANTIL-SAKAUYE, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

May 1, 2007

MISC. ORDER 2007-008

BY THE COURT:

Associate Justice Harry Hull is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on May 4 and May 7, 2007, or until his return. Associate Justice Ronald Robie is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on May 11, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

C050105 THE PEOPLE v. CHRISTENSEN (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Sims, Acting P.J.

Robie, J.

C050623 THE PEOPLE v. FLETCHER (Not for Publication)

The judgment is affirmed.

NICHOLSON, J.

We Concur: Blease, Acting P.J.

Cantil-Sakauye, J.

C053166 VASQUEZ v. SILVA (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed. Neither party shall recover costs of appeal.

Davis, Acting P.J.

We Concur: Hull, J.

Cantil-Sakauye, J.

C051191 In re CALVIN S.; THE PEOPLE v. CALVIN S. (Certified for Partial Publication)

The judgment is affirmed.

HULL, J.

We Concur: Davis, Acting P.J.

Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

May 2, 2007, continued

- C051415 THE PEOPLE v. CLARKE (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Raye, J.
Robie, J.
- C051839 THE PEOPLE v. YOUNG (Not for Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to show the one-year sentence enhancement was imposed... and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
SCOTLAND, P.J.
We Concur: Davis, J.
Raye, J.
- C051860 THE PEOPLE v. ORTIZ, JR. (Not for Publication)**
The sentences imposed for the three prior prison term enhancement allegations are vacated and the case is remanded to the trial court for further proceedings consistent with this opinion. In all other respects, the judgment is affirmed.
SCOTLAND, P.J.
We Concur: Hull, J.
Butz, J.
- C052743 THE PEOPLE v. STEELE (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Raye, J.
Robie, J.
- C052919 THE PEOPLE v. XABANDITH (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C053091 THE PEOPLE v. LUCAS (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

May 3, 2007, continued

C049803 FREY v. FOXX (Not for Publication)

THE COURT:

The opinion of this court filed April 9, 2007, in the above entitled case is modified...

...This modification does not effect a change in the judgment.

BY THE COURT:

SCOTLAND, P.J.

BLEASE, J.

HULL, J.

C052821 FRANCIS v. SCHWARZENEGGER, as Governor, etc. (Not for Publication)

THE COURT:

The opinion of this court filed April 23, 2007, in the above entitled case is modified...

... This modification does not affect the judgment.

BY THE COURT:

NICHOLSON, Acting P.J.

RAYE, J.

ROBIE, J.

May 4, 2007

C050173 THE PEOPLE v. SHIRLEY (Not for Publication)

The superior court is directed to prepare an amended abstract of judgment... and forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Robie, J.

Butz, J.

C050837 THE PEOPLE v. BURRELL, JR. (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.

Cantil-Sakauye, J.

C051447 THE PEOPLE v. ANDERSON (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Nicholson, Acting P.J.

Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

7

The Minutes

May 4, 2007, continued

- C052123 THE PEOPLE v. JESUS (Not for Publication)**
The judgment (order revoking probation) is affirmed.
SIMS, Acting P.J.
We Concur: Raye, J.
Morrison, J.
- C052544 THE PEOPLE v. RUPP (Not for Publication)**
The judgment is affirmed. The matter is remanded to the trial court with directions to impose sentence on count 2, to prepare a corrected abstract of judgment reflecting that sentence, and to furnish a certified copy thereof to the Department of Corrections and Rehabilitation.
SIMS, Acting P.J.
We Concur: Raye, J.
Morrison, J.
- C050196 ORR v. CITY OF STOCKTON (CERTIFIED FOR PUBLICATION)**
The judgment is reversed. The City is awarded its costs on appeal.
(CERTIFIED FOR PUBLICATION.)
Davis, Acting P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.
- C051385 IMAGISTICS INTERNATIONAL, INC., v. DEPARTMENT OF GENERAL SERVICES and SHARP ELECTRONICS CORP. (Not for Publication)**
THE COURT:
It is ordered that the opinion filed herein on April 5, 2007, be modified...
... There is no change in the judgment.
The opinion in the above-entitled matter filed on April 5, 2007, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.
BY THE COURT:
DAVIS, Acting P.J.
NICHOLSON, J.